

## VERDICT FORM

### **I. TITLE VII AND NEW YORK STATE EXECUTIVE LAW SECTION 296**

#### **A. HOSTILE WORK ENVIRONMENT UNDER TITLE VII AND NEW YORK STATE EXECUTIVE LAW SECTION 296**

1. Do you find that the Defendants subjected the Plaintiff, on the basis of his race or color, to a hostile work environment?

YES \_\_\_\_\_

NO ~~YES~~

#### **B. RETALIATION UNDER TITLE VII AND NEW YORK STATE EXECUTIVE LAW SECTION 296**

2. Do you find that the Defendants retaliated against the Plaintiff because the Plaintiff complained that his employer was engaged in unlawful discrimination?

YES \_\_\_\_\_

NO ~~YES~~

### **II. SECTION 1981**

3. Do you find that the Defendants wrongfully discriminated against the Plaintiff by failing to promote the Plaintiff, subjecting the Plaintiff to unequal terms and conditions of employment, subjecting the Plaintiff to a hostile work environment, retaliating against the Plaintiff, and/or wrongfully terminating the Plaintiff?

YES \_\_\_\_\_

NO ~~YES~~

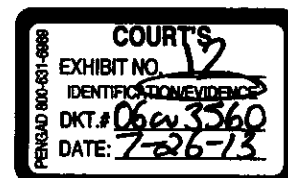
*If you answered "YES" to Question 3, answer Questions 4, 5, and 6.*

*If you answered "NO" to Question 3, skip Questions 4, 5, and 6, and proceed to Question 7.*

4. Do you find that Defendant THOMAS SUOZZI violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_



5. Do you find that Defendant JOHN GALLO violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

6. Do you find that Defendant PAUL YANANTUONO violated the Plaintiff's rights under 42 United States Code, Section 1981?

YES \_\_\_\_\_

NO \_\_\_\_\_

### III. SECTION 1983

7. Do you find that any of the Individual Defendants violated the Plaintiff's constitutional rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO ⓧ \_\_\_\_\_

*If you answered "YES" to Question 7, answer Questions 8, 9, and 10.  
If you answered "NO" to Question 7, skip Questions 8, 9, and 10, and proceed to Question 11.*

8. Do you find that Defendant THOMAS SUOZZI violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

9. Do you find that Defendant JOHN GALLO violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

10. Do you find that Defendant PAUL YANANTUONO violated the Plaintiff's rights under 42 United States Code, Section 1983?

YES \_\_\_\_\_

NO \_\_\_\_\_

**IV. MUNICIPAL VIOLATIONS, SECTION 1983**

11. Do you find that the County of Nassau and/or the Nassau County Department of Public Works violated the Plaintiff's constitutional rights through a pattern, practice, custom, or usage?

YES \_\_\_\_\_

NO 

**V. SECTION 1985(3)**

12. Do you find that any of the Individual Defendants conspired to violate the Plaintiff's rights on the basis of color or race?

YES \_\_\_\_\_

NO 

***If you answered "YES" to Question 12, answer Questions 13, 14, and 15.  
If you answered "NO" to Question 12, skip Questions 13 through 19, and proceed to  
Question 20.***

13. Do you find that Defendant THOMAS SUOZZI violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

14. Do you find that Defendant JOHN GALLO violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

15. Do you find that Defendant PAUL YANANTUONO violated the Plaintiff's rights under 42 United States Code, Section 1985(3)?

YES \_\_\_\_\_

NO \_\_\_\_\_

**VI. SECTION 1986**

16. Do you find that any of the Individual Defendants failed to intervene to prevent violation of the Plaintiff's rights?

YES \_\_\_\_\_

NO \_\_\_\_\_

*If you answered "YES" to Question 16, answer Questions 17, 18, and 19.  
If you answered "NO" to Question 16, skip Questions 17, 18, and 19, and proceed to Question 20.*

17. Do you find that Defendant THOMAS SUOZZI violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

18. Do you find that Defendant JOHN GALLO violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

19. Do you find that Defendant PAUL YANANTUONO violated the Plaintiff's rights under 42 United States Code, Section 1986?

YES \_\_\_\_\_

NO \_\_\_\_\_

**VII. QUALIFIED IMMUNITY**

20. Did Defendant THOMAS SUOZZI prove, by a preponderance of the evidence, that he is entitled to qualified immunity?

YES \_\_\_\_\_

NO                     

21. Did Defendant JOHN GALLO prove, by a preponderance of the evidence, that he is entitled to qualified immunity?

YES \_\_\_\_\_

NO           

22. Did Defendant PAUL YANANTUONO prove, by a preponderance of the evidence, that he is entitled to qualified immunity?


YES \_\_\_\_\_

NO                     

**VIII. BREACH OF CONTRACT**

23. Did the Plaintiff prove his breach of contract claim?


YES \_\_\_\_\_

NO                     

**IX. FRAUDULENT INDUCEMENT**

24. Do you find, by clear and convincing evidence, that the Defendants fraudulently induced the Plaintiff to enter into a contract?

YES \_\_\_\_\_

NO                     

***If you answered "YES" to any of the above questions (excluding Questions 20, 21, and 22), state the amount of damages you award by responding to Questions 25 through 33. If you answered all of the above questions "NO" (excluding Questions 20, 21, and 22), proceed no further, and have the Jury Foreperson date and sign this Verdict Sheet and return to the Courtroom.***

**X. DAMAGES**

**COMPENSATORY DAMAGES**

25. Past Economic Damages

\$ \_\_\_\_\_ .00

26. Future Economic Damages

\$ \_\_\_\_\_ .00

27. Future Psychological / Psychiatric Treatment Costs

\$ \_\_\_\_\_ .00

28. Past Emotional Distress

\$ \_\_\_\_\_ .00

29. Future Emotional Distress

\$ \_\_\_\_\_ .00

**PUNITIVE DAMAGES**

30. Do you award Punitive Damages against any of the Individual Defendants?

YES \_\_\_\_\_ NO \_\_\_\_\_

***If you answered "YES" to Question 30, answer Questions 31, 32 and 33.  
If you answered "NO" to Question 30, proceed no further, and have the Jury Foreperson date  
and sign this Verdict Sheet and return to the Courtroom.***

31. Against Defendant THOMAS SUOZZI

\$ \_\_\_\_\_ .00

32. Against Defendant PAUL YANANTUONO

\$ \_\_\_\_\_ .00

33. Against Defendant JOHN GALLO

\$ \_\_\_\_\_ .00

*The Jury Foreperson should date and sign this Verdict Sheet and return to the Courtroom.*

Dated July 26, 2013

*July 26, 2013*

Signed: \_\_\_\_\_ s/PZ

~~Jury Foreperson~~ 